



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Acting Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2205578

Applicant Name: RHL Design Group for Safeway, Inc.

Address of Proposal: 9262 Rainier Avenue South

SUMMARY OF PROPOSED ACTION

Master Use Permit for establish use for future construction of a Gas Station. The project will include a 3,780 sq. ft. canopy, a 432 sq. ft. retail kiosk and 5 fueling stations. Approximately 870 cubic yards of earth will be disturbed to accommodate two underground fuel tanks with a total capacity of 40,000 gallons. Four parking spaces will be provided for the facility.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

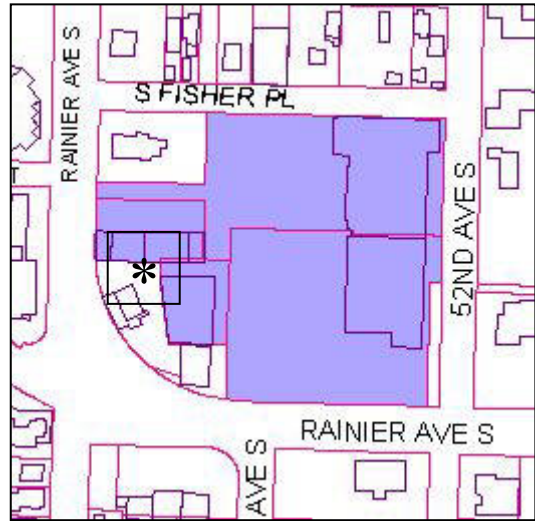
☐ DNS involving non-exempt grading, or demolition, or
another agency with jurisdiction

BACKGROUND DATA

As referenced on the attached graphic, the development site for the Gas Station is located on the west portion of the site. The site was also part of a recent Master Use Permit, #2004828, for the development of a new multi-purpose convenience store (grocery store) for Safeway. The gas station will be owned and operated by Safeway and will include signage under the same name. The development pad for the gas station is approximately 25,000 sq ft. The proposal also

includes removal of 48 parking spaces permitted for the grocery store under MUP 2004828 to accommodate this proposal. The grocery store will still retain parking in excess of code requirements. The development site is in a C1-40 zone and is also located in the Rainier Beach Residential Urban Village.

The site is primarily flat but is also located in a Liquefaction zone, regulated as an Environmentally Critical Area under SMC 25.09. While not part of this development site, a culverted watercourse also lies beneath the surface on the SE portion of the site. The culvert or any related buffers are not located on this part of the development. The immediate area around the site is marked by commercial structures of one and two story in height. These uses are primarily automobile oriented retail developments, with some single purpose residential structures located to the west and south across Rainier Ave S. Surrounding properties are also zoned C1-40, with a Midrise (MR) zone located across Rainier Ave S



Public Comments

Notice of the project was published on January 2, 2003. Based on written request, the public comment period was extended 2 weeks, with formal comment period ending on January 30, 2003. During the comment period, 1 letter and 10 emails were received expressing concern about the proposed use being introduced to the site, the potential for pedestrian/automobile conflicts, the elimination of small businesses at the site, the projects compatibility to long-range planning efforts and the lack of disclosure of the project during review of the underlying grocery store MUP referenced above.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 4, 2002 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). Compliance with these applicable codes and ordinances will reduce or eliminate most of the short-term impacts to the environment.

Earth

As referenced, the project is located within a Liquefaction Zone, as regulated in the City's Environmentally Critical Areas (ECA) ordinance. In conjunction with this review, an Engineering Study was submitted by the applicant concerning the development of this project and the related impacts on this area. Upon further review of this document, it appears that the project will include removal of existing soil with application of structural fill to assist in supporting the development. Further, the report indicates that the soils at the site of the kiosk have a low potential for liquefaction and does not find a necessity to mitigate for liquefaction. Staff concurs that based on the description of the subsurface conditions and the boring log for Boring B-1, additional mitigation does not appear to be warranted for the project.

Construction Parking

Construction of the project is proposed to last for several months. On street parking in the vicinity are limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking. Due to the configuration of the site and the relationship to adjacent businesses, parking and construction activities may impose temporary impacts on parking and circulation. The owner and/or responsible party shall assure that construction vehicles and equipment are provided parking within 800 feet of the subject site for the term of construction. To further facilitate this effort, the owner and/or responsible party shall submit documentation of the location of construction worker parking as discussed above. This condition will be posted at the site for the duration of construction activity. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA ordinance.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased traffic in the area and increased demand for parking; increased demand for public services and utilities; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development.

Transportation and Parking

A Traffic Impact Analysis was submitted for this project dated December 2, 2002 and updated on February 25, 2003. This analysis assess the amount of trips being generated by the proposal, including traffic generated specifically by the proposal, traffic attracted to the project which would otherwise pass by the site, traffic that is diverted to the project from adjacent streets and trips that are generate specifically to the site that begin and end at the same location. The analysis includes a summary for these trips generated by the facility, which suggests that approximately 72 PM peak trips both coming to and leaving the site will be generated, for a total of 144 during the peak PM travel period. Further, the analysis also suggests that up to 2,160 trips per day would be generated by the proposal, distributed throughout a 24 hour period.

In addition to this analysis, a separate study of on-site queuing activities was undertaken, given the proximity of the project to Rainier Ave S, an arterial as classified in the City's Street Improvement Manual. As provided in the applicant's Traffic Analyses, the average number of vehicles expected at the facility would be 6 vehicles with a peak of 9 during PM travel hours. With the 10 fueling positions available at this facility, it is unlikely that additional queuing lanes would be required to manage this traffic. In the unlikely case that such a condition would exist, the on site parking spaces, distance of the facility from Rainier Ave S and availability of parking at the site would effectively manage such circumstances.

Given the frequency of trips in relationship to the Level of Service (LOS) which is documented in this study at LOS C both with and without the project, it is unlikely that trips generated by the project will result in negative or perceptible impacts on the adjacent roadway system. Accordingly, no additional mitigation or requirements to meet traffic, given the factors detailed above, will be required.

DECISION - SEPA

The application is **APPROVED**, with conditions stated below.

CONDITIONS – SEPA

Prior to the issuance of a Master Use Permit and for the life of the project:

1. The owner(s) and/or responsible party(s) shall provide documentation of parking within 800 feet of the subject project for Construction worker parking. The parking must be

available during all construction activities.

2. The applicant shall develop a Signage Plan as part of the Landscape Plan to show the location of all traffic control signs between the development site and the property to the north. This plan shall include the number of signs, the message of the sign and the height of these signs in order to control cross traffic between the two parcels and to ensure that safe access for both automobile and pedestrians is maintained.

Signature: (signature on file) Date: June 9, 2003

Michael Jenkins, Land Use Planner

Land Use Division, Regulating Land Use Section

MJ:bg

Jenkinm/doc/sepa only/safeway gas/2205578decision.doc